



United States
Department of
Agriculture

Agricultural
Marketing
Service

STOP 0268 - Room 4008-S
1400 Independence Avenue, SW.
Washington, D.C. 20250-0200

VIA FACSIMILE AND POSTAL MAIL

January 22, 2004

Christopher Ely
Applegate Farms
10 County Lane Road
Branchburg, New Jersey 08876

Dear Mr. Ely:

Thank you for your petition of January 5, 2004 which requests the addition of Sodium lactate and Potassium lactate to the National Organic Program's (NOP) National List of Allowed and Prohibited Substances (National List).

Your petition is being returned because it requests action on a substance that meets the statutory requirements of the OFPA and its implementing regulations. The NOP has determined that your petition meets these requirements for the reasons listed below.

As confirmed by manufacturers, the materials Sodium lactate and Potassium lactate are formulated products derived only from substances that are presently included on the National List. Sodium lactate is manufactured from the blending of Sodium hydroxide (section 205.605(b)) and Lactic acid (section 205.605(a)). Potassium lactate is manufactured from a blending of Potassium hydroxide (section 205.605(b)) and Lactic acid. Accordingly, Sodium lactate and Potassium lactate do not have to be included on the National List to be used in organic handling.

Should you have any questions, I can be reached at (202) 702-3252.

Sincerely,

A handwritten signature in black ink, reading "Robert L. Pooler", is written over a horizontal line.

Robert Pooler
Agricultural Marketing Specialist
USDA National Organic Program

cc: NOSB
Accredited Certifying Agents
OMRI
OTA
NOP